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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-044M)	West Virginia College-and Career-Readiness Programs of Study/Standards for Career Technical Education (Policy 2520.13) Legislative Exempt	§29A-3B-1 et seq.	Written Comments Only December 17, 2018, 4:00 pm Clinton C. Burch, Executive Director WVDE Office of Governors Economic Initiatives Capitol Building 6, Room 221 1900 Kanawha Blvd. E. Charleston, WV 25305 ccburch@k12.wv.us
Education (126-044N)	West Virginia College-and Career-Readiness Standards for Technology and Computer Science (Policy 2520.14) Legislative Exempt	§29A-3B-1 et seq.	Written Comments Only December 17, 2018, 4:00 pm Lori Whitt, Assistant Director WVDE Office of Technology Integration and Support Capitol Building 6, Room 652 1900 Kanawha Blvd. E. Charleston, WV 25305 lwhitt@k12.wv.us
Education (126-057)	Adult Education Programs (Policy 2420) Legislative Exempt	§29A-3B-1 et seq.	Written Comments Only December 17, 2018, 4:00 pm Mendy Marshall, Executive Director WVDE Office of Adult Education Capitol Building 6, Room 243 1900 Kanawha Blvd. E. Charleston, WV 25305 mmarsha@k12.wv.us
Secretary of State (153-41)	Online Meeting Notices Procedural	§6-9A-3(e)(3)(g)	Written Comments Only December 17, 2018, 12:00 pm Maureen Lewis, Secretary of State's Office Building 1, Suite 157K State Capitol Complex Charleston, WV 25305 MLewis@wvsos.com

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	8	HEARING AID DEALERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	31	DIETITIANS
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	WORKERSCOMPENSATION BY THE INSURANCE COMMISSION
TITLE	86	VETERANS AFFAIRS
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE	96	WORKFORCE WEST VIRGINIA
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	113	HEALTH INSURANCE PLAN
TITLE	114	INSURANCE
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTION
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	DIVISION OF HIGWAYS
TITLE	158	ETHICS COMMISSION
TITLE	162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	172	STATE RAIL AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE	191	FAMILY PROTECTION SERVICES BOARD
TITLE	194	MASSAGE THERAPY LICENSURE BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-01)	Purchasing Division Legislative	6/11/2018	7/11/2018		7/18/2018	Approved 11/12/2018			
Administration (148-03)	State Owned Vehicles Legislative	6/12/2018	7/12/2018	6/8/2018 Effective July 20, 2018	7/20/2018	Modified & Approved 11/12/2018 Filed 11/14/2018			
Administration (148-19)	Leasing of Space and Acquisition of Real Property on Behalf of State Spending Units Legislative	6/11/2018	7/11/2018		7/19/2018	Modified & Approved 11/12/2018 Filed 11/14/2018			
Agriculture (61-01)	Animal Disease Control Legislative	6/26/2018	7/26/2018		7/27/2018				
Agriculture (61-29)	Industrial Hemp Legislative	6/27/2018	7/27/2018		7/27/2018				
Agriculture (61-33)	Rural Rehabilitation Loan Program Legislative	6/26/2018	7/26/2018		7/26/2018				
Agriculture (61-34)	Captive Cervid Farming Legislative	6/27/2018	7/26/2018		7/27/2018				
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	12/18/2017	1/18/2018	12/18/2017 Effective 1/29/2018	1/19/2018	Approved 11/12/2018			
Agriculture (61-37)	Agritourism Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 11/12/2018			
Agriculture (61-38)	Farmers Markets Legislative	6/27/2018	7/27/2018	7/30/2018 Effective 9/10/2018	7/27/2018	Modified & Approved 11/12/2018			
Agriculture (61-39)	Seed Certification Program Legislative	6/27/2018	7/27/2018		7/27/2018				
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-36)	(Repeal of) Requirements for Determining Conformity of Transportation Plans, Programs, and Projects Developed, Funded or Approved under Title 23 USC or the Federal Transit Laws, to Applicable Air Quality Implementation Plans (Transportation Conformity) Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-38)	(Repeal of) Provisions for Determination of Compliance with Air Quality Management Rules Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Air Quality (45-43)	Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative	6/5/2018	7/10/2018		7/24/2018	Approved 9/20/2018			
Athletic Commission (177-01)	Administrative Rules of the WV State Athletic Commission Legislative	6/19/2018	7/19/2018		7/24/2018				
Comm. & Tech. College Education (135-15)	Acceptance of Advanced Placement Credit Legislative	8/20/2018	9/21/2018		9/26/2018				
Comm. & Tech. College Education (135-20)	Initial Authorization of Degree-Granting Institutions Legislative	10/16/2018	11/19/2018						
Comm. & Tech. College Education (135-27)	Workforce Development Initiative Program Legislative	10/16/2018	11/19/2018						
Comm. & Tech. College Education (135-32)	Tuition and Fees Legislative	4/24/2018	5/25/2018		7/2/2018				
Comm. & Tech. College Education (135-40)	Equal Opportunity and Affirmative Action Procedural	10/16/2018	11/19/2018						
Dietitians (31-01)	Licensure and Renewal Requirements Legislative	6/22/2018	7/24/2018		7/24/2018	Modified & Approved 9/20/2018 Filed 9/20/2018			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-003)	Notice and Conduct of Meetings (1241) Legislative Exempt	9/13/2018	10/15/2018					11/15/2018	12/17/2018
Education (126-44H)	WV Driver Education Standards (2520.8) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	7/1/2019
Education (126-044M)	WV College-and Career-Readiness Programs of Study/Standards for Career Technical Education (2520.13) Legislative Exempt	11/15/2018	12/17/2018						
Education (126-044N)	WV College-and Career-Readiness Standards for Technology and Computer Science (2520.14)	11/15/2018	12/17/2018						
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Education (126-057)	Adult Education Programs (2420) Legislative Exempt	11/15/2018	12/17/2018						
Education (126-71)	Establishment Procedures and Operating Policy for Multi-County Career and Technical Education Centers (3232) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	11/13/2018
Education (126-86)	Standards for School Nutrition (4321.1) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	11/13/2018
Education (126-149)	Professional Learning for West Virginia Educators (5500) Legislative Exempt	8/10/2018	9/10/2018					10/11/2018	11/13/2018
Education (126-161)	Alternative Certification Programs for the Education of Teachers (5901) Legislative Exempt	9/13/2018	10/15/2018					11/15/2018	12/17/2018
Fire Commission (87-04)	State Building Code Legislative	6/22/2018	7/23/2018		7/25/2018	Approved 11/12/2018			
Health (64-11)	Behavioral Health Centers Licensure Legislative	6/21/2018	7/21/2018		7/27/2018				

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**SEC/STATE**	**LRMRC-ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Health (64-14)	Assisted Living Residences Legislative	6/21/2018	7/20/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018			
Health (64-17)	Food Establishments Legislative	6/21/2018	7/20/2018		7/26/2018				
Health (64-43)	Food Manufacturing Facilities Legislative	6/21/2018	7/20/2018		7/26/2018				
Health (64-91)	Newborn Screening System Legislative	6/21/2018	7/20/2018		7/26/2018				
Health (64-109)	General Rules-Medical Cannabis Program Legislative			4/3/2018 Effective 4/3/2018					
Health (64-110)	Grower/Processors-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-111)	Laboratories-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-112)	Dispensaries-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health (64-113)	Safe Harbor Letter-Medical Cannabis Program Legislative			4/4/2018 Effective 4/4/2018					
Health and Human Resources (69-08)	Chronic Pain Management Clinic Licensure Legislative	6/21/2018	7/21/2018		7/27/2018	Approved 11/12/2018			
Health an Human Resources (69-12)	Medication-Assisted Treatment – Office-Based Medication-Assisted Treatment Legislative	6/21/2018	7/21/2018		7/27/2018	Modified & Approved 11/12/2018 Filed 11/15/2018			
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/21/2018	7/21/2018		7/27/2018	Approved 11/12/2018			
Health Care Authority (65-06)	Cooperative Agreement Legislative	6/21/2018	7/21/2018		7/26/2018	Approved 11/12/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-05)	Guidelines for Governing Boards in Employing and Evaluating Presidents Legislative	6/26/2018	7/26/2018		8/28/2018				
Higher Education Policy Commission (133-07)	WV Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 6/26/2018	8/7/2018				
Highways (157-12)	Employment Procedures	7/18/2018	8/20/2018	7/19/2018 Effective 8/30/2018	8/30/2018	Approved 11/12/2018			
Labor (42-05)	Wage Payment and Collection Legislative	6/15/2018	7/16/2018		7/25/2018	Approved 9/20/2018			
Labor (42-09)	Child Labor Legislative	6/18/2018	7/19/2018		7/25/2018	Modified & Approved 9/20/2018 Filed 9/26/2018			
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/19/2018	7/19/2018		7/25/2018				
THE ABOVE RULE HAS BEEN WITHDRAWN 11/2/2018									
Labor (42-34)	Regulation of Heating, Ventilating and Cooling Work Legislative	6/15/2018	7/16/2018	6/15/2018 Effective 7/27/2018	7/25/2018	Approved 9/20/2018			
Lottery Commission (179-09)	West Virginia Lottery Sports Wagering Rule Legislative	8/6/2018	9/7/2018	7/9/2018 Approved 8/6/2018	10/4/2018				
Medicine (11-01A)	Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons Legislative	6/22/2018	7/23/2018		7/25/2018	Approved 9/20/2018			
Medicine (11-12)	Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows Legislative	6/22/2018	7/23/2018	6/22/2018 Effective 8/3/2018 Amendment 7/25/2018 Withdrawn 8/7/2018 Amendment 8/7/2018 Effective 9/18/2018	7/25/2018	Approved 9/20/2018			

RULE MONITOR									
AGENCY/SERIES NO	**RULE**	**NOTICE**	**HEARING**	**EMER RULE**	**SEC/STATE**	**LRMRC-ACTION**	**LEGIS**	**FINAL FILE**	**EFFECTIVE**
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	6/19/2018	7/19/2018	6/19/2018 Effective 7/31/2018	7/25/2018				
Miners Health Safety and Training (56-08)	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative	5/30/2018	6/29/2018	5/30/2018 Effective 7/11/2018	7/25/2018				
Miners Health Safety and Training (56-23)	Rules for Operating Diesel Equipment in Underground Mines in West Virginia Legislative	5/30/2018	6/29/2018	5/29/2018 Effective 7/10/2018	7/25/2018				
Natural Resources (58-12)	Commercial Whitewater Outfitters Legislative	6/26/2018	7/26/2018		7/27/2018	Modified & Approved 9/20/2018 Filed 10/1/2018			
Natural Resources (58-36)	Cabwaylingo State Forest Trail System Two Year Pilot Program Permittings ATVs and ORVs Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 8/7/2018	7/27/2018	Modified & Approved 9/20/2018 Filed 10/1/2018			
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	5/24/2018	6/25/2018		7/26/2018	Approved 9/20/2018			
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/21/2018	7/22/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-07)	Registration of Pharmacy Technicians Legislative	6/12/2018	7/16/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-15)	Regulations Governing Pharmacy Permits Legislative	6/21/2018	7/22/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-16)	Regulations Governing Pharmacists Legislative	6/19/2018	7/20/2018		7/27/2018	Approved 9/20/2018			
Pharmacy (15-17)	Board of Pharmacy Rules for the Substitution of Biological Pharmaceuticals Legislative	6/19/2018	7/21/2018		7/27/2018	Modified & Approved 11/12/2018			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-1)	Rules of Practice and Procedure Legislative Exempt	5/10/2018	7/10/2018						
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	5/10/2018	7/10/2018						
Public Service Commission (150-25)	Telephone Emergency Service Legislative Exempt	3/8/2018	5/9/2018					11/1/2018	12/3/2018
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections Legislative Exempt	9/6/2018	11/8/2018						
Racing Commission (178-01)	Throughbred Racing Legislative	6/13/2018	7/13/2018		7/26/2018				
Real Estate Appraiser, Licensing and Certification Bd. (190-02)	Requirements for Licensure and Certification Legislative	6/27/2018	7/27/2018		7/27/2018	Modified & Approved 9/20/2018 Filed 10/3/2018			
Registered Professional Nurses (19-01)	Policies, Standards and Criteria for the Evaluation, Approval and Accreditation of Colleges, Departments or Schools of Nursing Legislative	6/19/2018	7/20/2018		7/26/2018				
Registered Professional Nurses (19-03)	Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct Legislative	6/19/2018	7/20/2018		7/25/2018	Modified & Approved 11/12/2018			
Registered Professional Nurses (19-07)	Advanced Practice Registered Nurse Legislative	6/19/2018	7/20/2018		7/25/2018	Approved 11/12/2018			
Registered Professional Nurses (19-10)	Standards for Scope of Professional Nursing Practice Legislative	6/19/2018	7/20/2018		7/26/2018	Modified & Approved 11/12/2018			
Registered Professional Nurses (19-12)	Fees for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing Legislative	6/19/2018	7/20/2018		7/26/2018	Modified & Approved 11/12/2018			
Registered Professional Nurses (19-13)	Dialysis Technicians Legislative	6/19/2018	7/20/2018		7/25/2018	Modified & Approved 11/12/2018			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
School Building Authority (164-02)	Funding School Building Authority Projects Legislative	6/26/2018	7/26/2018						
School Building Authority (164-03)	School Planning and Design Criteria Legislative	6/26/2018	7/26/2018						
School Building Authority (164-04)	Project Administration and Review Legislative	6/26/2018	7/26/2018						
School Building Authority (164-05)	School Building Authority Contracts and Agreements Legislative	6/26/2018	7/26/2018						
School Building Authority (164-06)	School Building Authority Reporting Procedures Legislative	6/26/2018	7/26/2018						
School Building Authority (164-07)	School Access Safety Act Guidelines and Procedures Legislative	6/26/2018	7/26/2018						
Secretary of State (153-06)	Filing and Formatting Rules and Related Documents and Other Documents for Publication in the State Register Legislative	6/5/2018	7/5/2018		7/6/2018				
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Elections Systems, Software, Services and Upgrades Legislative	5/24/2018	6/25/2018	4/25/2018 Effective 6/6/2018	7/10/2018				
Secretary of State (153-13)	Early Voting In-Person Satellite Precincts Legislative	5/24/2018	6/25/2018	4/25/2018 Effective 6/6/2018	7/10/2018				
Secretary of State (153-17)	Submission of Documents for Qualified Newspapers Interpretive	10/10/2018	11/9/2018						
Secretary of State (153-41)	Online Meeting Notices Procedural	11/14/2018	12/17/2018						
Secretary of State (153-46)	Notaries Public Legislative	6/28/2018	7/28/2018		7/30/2018				
Social Work Examiners (25-01)	Qualifications for the Profession of Social Work Legislative	6/15/2018	7/16/2018		7/25/2018	Modified & Approved 11/12/2018			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Social Work Examiners (25-07)	Code of Ethics Legislative	6/15/2018	7/16/2018		7/23/2018	Approved 11/12/2018			
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/27/2018	7/27/2018		7/27/2018				
Tax (110-15K)	Aircraft Operated Under a Fractional Ownership Program Legislative	6/26/2018	7/26/2018	6/26/2018 Effective 8/7/2018	7/27/2018	Approved 11/12/2018			
Tax (110-21B)	Citizen Tax Credit for Property Taxes Paid Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 11/12/2018			
Tax (110-21C)	Method of Claiming the Qualified Rehabilitated Buildings Investment Credit Procedural	10/23/2018	11/27/2018						
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	10/22/2018	11/27/2018						
Tax (110-49)	Administration of Tax on Purchases of Wine and Liquor Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 11/12/2018			
Tax (110-50A)	Exchange of Information Agreement Between Tax Div. and Div. of Environmental Protection Legislative	6/26/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50B)	Exchange of Information Agreement Between Tax Div. and the Alcohol Beverage Control Administration Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50C)	Exchange of Information Pursuant to Written Agreement Legislative	6/26/2018	7/26/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50D)	Exchange of Information Agreement Between Comm of Tax Div., Comm. Of Labor and the Comm. Of Insurance Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Tax (110-50E)	Exchange of Information Agreement Between Tax Dept. and the WV Lottery Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-50F)	Exchange of Information Agreement Between Tax Dept. and the State Fire Marshal Legislative	6/27/2018	7/27/2018		7/27/2018	Approved 9/20/2018			
Treasurer (112-16)	Reporting and Claiming Unknown and Unlocatable Interest Owners Reserved Interests Legislative	6/27/2018	7/27/2018	6/27/2018 Effective 8/8/2018	7/27/2018				
Water Resources, Div. of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	5/25/2018	7/10/2018		7/27/2018				

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/14/2018 3:36:33 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Administration

RULE TYPE: Legislative TITLE-SERIES: 148-03

RULE NAME: State Owned Vehicles

CITE AUTHORITY: §5A-12-5

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Jennelle H Jones – By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/14/2018 3:43:54 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Administration

RULE TYPE: Legislative TITLE-SERIES: 148-19

RULE NAME: Leasing of Space and Acquisition of Real Property on Behalf of State Spending Units

CITE AUTHORITY: §5A-10-11

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Jennelle H Jones – By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/15/2018 3:03 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education TITLE-SERIES: 126-003

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Notice and Conduct of Meetings (Policy 1241)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

December 17, 2018

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
William C Burch -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/15/2018 3:13:46 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-044M

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: West Virginia College- and Career-Readiness Programs of Study/Standards for Career Technical Education (Policy 2520.13)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/17/2018 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Clinton C. Burch, Executive Director

ADDRESS: WVDE Office of Governors Economic Initiatives, Capitol Building 6, Room 221

1900 Kanawha Blvd., E., Charleston, West Virginia 25305

EMAIL: ccburch@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/15/2018 3:22:07 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-044N

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: West Virginia College- and Career-Readiness Standards for Technology and Computer Science (Policy 2520.14)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/17/2018 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Lori Whitt, Assistant Director

ADDRESS: WVDE Office of Technology Integration and Support, Capitol Bldg. 6, Room 652

1900 Kanawha Blvd., E., Charleston, West Virginia 25305

EMAIL: lwhitt@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/15/2018 3:11:40 PM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-057

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Adult Education Programs (Policy 2420)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/17/2018 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Mendy Marshall, Executive Director

ADDRESS: WVDE Office of Adult Education, Capitol Building 6, Room 243

1900 Kanawha Blvd., E., Charleston, WV 25305

EMAIL: mamarsha@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/15/2018 2:59 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education

TITLE-SERIES: 126-161

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Regulations for Alternative Certification Programs for the Education of Teachers (Policy 5901)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

December 17, 2018

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

William C Burch -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
11/15/2018 3:43:50 PM
Office of West Virginia
Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Health

RULE TYPE: Legislative

TITLE-SERIES: 64-14

RULE NAME: Assisted Living Residences

CITE AUTHORITY: W. Va. Code §§16-5D-5, and 16-1-4.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Heather J Mcdaniel -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/15/2018 3:41:35 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Health And Human Resources

RULE TYPE: Legislative TITLE-SERIES: 69-12

RULE NAME: Office-Based Medication-Assisted Treatment

CITE AUTHORITY: W. Va. Code §§16-5Y-1, et seq.

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

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WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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11/14/2018 3:40:28 PM
Office of West Virginia
Secretary Of State

PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secretary Of State TITLE-SERIES: 153-41

RULE TYPE: Procedural Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Online Meeting Notices

CITE STATUTORY AUTHORITY: §6-9A-3(e)(3)(g)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 12/17/2018 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Maureen Lewis, Secretary of State's Office

ADDRESS: Building 1 Suite 157, State Capitol Complex

Charleston, WV 25305

EMAIL: mlewis@wvsos.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2018 NOV 15 A 9:59 LRMRC
OFFICE WEST VIRGINIA SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jennelle Jones jennelle.h.jones@wv.gov
Administration
State Capitol Complex
Building 1, Room E119
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Purchasing Division, 148-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
4. Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached. —
5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. —

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2018 NOV 15 A 9:59
OFFICE WEST VIRGINIA SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jennelle Jones
Administration
1900 Kanawha Blvd. East
Building 1 Room 119 E
Charleston, WV

From: Legislative Rule-Making Review Committee

Proposed Rule: State Owned Vehicles, 148-03

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed —
   (B) as modified by the agency — X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2018 NOV 15 A 9:54
LRMRC
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jennelle Jones jennelle.h.jones@wv.gov
Administration
State Capitol Complex
Building 1, Room E119
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Leasing of Space and Acquisition of Real Property on Behalf of State Spending Units, 148-19

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2018 NOV 15 A 9:58
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin jodeemartin@wvda.us
Agriculture
1900 Kanawha Blvd East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Farm To Food Bank Tax Credit, 61-36

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed X
   (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

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2018 NOV 15 A 9:58

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OFFICE WEST VIRGINIA SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin jodeemartin@wvda.us
Agriculture
WV Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Agritourism, 61-37

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

FILED

2018 NOV 15 A 9:58

OFFICE WEST VIRGINIA SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin jodeemartin@wvda.us
Agriculture
WV Dept of Agriculture
1900 Kanawha Blvd East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Farmers Markets, 61-38

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. ____

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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2018 NOV 15 A 9:59
LRMRC
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kenneth Tyree kenneth.e.tyree@wv.gov
Fire Commission
State Fire Marshal
1207 Quarrier St.
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: State Building Code, 87-04

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. —

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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2018 NOV 15 A 9:58
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kathy Lawson kathy.m.lawson@wv.gov
Health
State Capitol Complex
Building 6, Room 817
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Assisted Living Residences, 64-14

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed —
   (B) as modified by the agency — X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

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2018 NOV 15 A 9:58 LRMRC

OFFICE WEST VIRGINIA SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kathy Lawson kathy.m.lawson@wv.gov
Health and Human Resources
State Capitol Complex
Building 6, Room 817
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Chronic Pain Management Clinic Licensure, 69-08

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

FILED

2018 NOV 15 A 9:59

OFFICE WEST VIRGINIA SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kathy Lawson kathy.m.lawson@wv.gov
Health
State Capitol Complex
Building 6, Room 817
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Medication - Assisted Treatment - Office - Based Medication - Assisted Treatment, 69-12

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed —
   (B) as modified by the agency — X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

FILED
2018 NOV 15 A 9:59
LRMRC
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Cindy Dellinger cynthia.h.dellinger@wv.gov
Health and Human Resources
One Davis Square
Suite 100 East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Collection and Exchange of Data Related to Overdoses, 69-14

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached. —

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

FILED
2018 NOV 15 A 9:58
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Cindy Dellinger cynthia.h.dellinger@wv.gov
Health Care Authority
One Davis Square
Suite 100 East
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Cooperative Agreement Approval and Compliance, 65-06

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   (A) as originally filed — X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

FILED LRMRC
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Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Rita Pauley rita.a.pauley@wv.gov
Highways
1900 Kanawha Blvd. East
Building 5, Room 109
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Employment Procedures, 157-12

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   (A) as originally filed — X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

FILED
2018 NOV 15 A 9:57
OFFICE WEST VIRGINIA SECRETARY OF STATE

Jared Wyrick, Director

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Ryan Hatfield
Pharmacy
2310 Kanawha Blvd East
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: The Substitution of Biological Pharmaceuticals, 15-17

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed —
   (B) as modified by the agency — X
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Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

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LRMRC
OFFICE WEST VIRGINIA
SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Alice Faucett alice.r.faucett@wv.gov
Registered Professional Nurses
90 MacCorkle Ave, SW
Suite 203
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct, 19-03

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
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November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Alice Faucett alice.r.faucett@wv.gov
Registered Professional Nurses
90 MacCorkle Ave, SW
Suite 203
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Advanced Practice Registered Nurse, 19-07

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed X
   (B) as modified by the agency ____
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SECRETARY OF STATE
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Alice Faucett alice.r.faucett@wv.gov
Registered Professional Nurses
90 MacCorkle Ave, SW
Suite 203
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Standards for Scope of Professional Nursing Practice, 19-10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Alice Faucett alice.r.faucett@wv.gov
Registered Professional Nurses
90 MacCorkle Ave, SW
Suite 203
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Fees for Services Rendered by the Board and Supplemental Renewal Fee for the Center for Nursing, 19-12

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   (A) as originally filed ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

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2018 NOV 15 A 9:58
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SECRETARY OF STATE
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Alice Faucett alice.r.faucett@wv.gov
Registered Professional Nurses
90 MacCorkle Ave, SW
Suite 203
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Dialysis Technicians, 19-13

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
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OFFICE WEST VIRGINIA
SECRETARY OF STATE
Jared Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Vickie James admin@wvsocialworkboard.org
Social Work Examiners
1124 Smith St. Suite B 200
Charleston, WV 25361

From: Legislative Rule-Making Review Committee

Proposed Rule: Qualifications for the profession of social work, 25-01

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared E. Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Vickie James admin@wvsocialworkboard.org
Social Work Examiners
PO Box 5459
Charleston, WV 25361

From: Legislative Rule-Making Review Committee

Proposed Rule: Code of Ethics, 25-07

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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SECRETARY OF STATE

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared E. Wyrick, Director

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton taxlegal@wv.gov
Tax
PO Box 1005
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Aircraft Operated under a Fractional Ownership Program, 110-15K

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
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Jared Wyrick, Director

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SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton taxlegal@wv.gov
Tax
PO Box 1005
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Citizen Tax Credit for Property Taxes Paid, 110-21B

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE
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Jared Wyrick, Director

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SECRETARY OF STATE

November 12, 2018

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton taxlegal@wv.gov
Tax
PO Box 1005
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Administration of Tax on Purchases of Wine and Liquor, 110-49

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	**Medicine, West Virginia Board Of**	Roger Lee McCauley, MD	11/8/2018
[redacted]	**Secretary of State**	Guardco Security, LLC	11/15/2018
[redacted]	**WV Senate While Sitting as a Court of Impeachment**	Justice Elizabeth Walker	8/14/2018

11/15/2018 1:54:00 PM

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

FILED
2018 NOV 13 P 12:07
OFFICE WEST VIRGINIA
SECRETARY OF STATE
OTHER

November 13, 2018

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **November 9, 2018.**

LETTER OF INTENT RECEIVED

November 9, 2018 – Princeton Community Hospital Association, Inc., Princeton, Mercer County, CON File #18-1-11497-P, for the establishment of an ambulatory health care facility located at 144 Undercliff Terrace, Princeton, Mercer County; capital expenditure: $75,000.

CERTIFICATE OF NEED APPLICATIONS RECEIVED

November 5, 2018 - Fresenius Medical Care HIMG Dialysis Center, LLC d/b/a FMC River Hills, Waltham, Massachusetts, CON File #18-2-11485-R, for the addition of four dialysis stations to the FMC River Hills dialysis facility located in Huntington, Cabell County; capital expenditure: $491,420.

November 9, 2018 - Camden-Clark Memorial Hospital Corporation and Camden-Clark Physician Corporation, Parkersburg, Wood County, CON File #18-5-11487-P, for the development of an ambulatory health care facility through the provision of specialty physician services and diagnostic imaging services in St. Mary's, Pleasant County; capital expenditure: $166,000.

APPLICATIONS FOR EXEMPTION RECEIVED

November 7, 2018 – Board of Child Care of the United Methodist Church, Inc., Baltimore, Maryland, CON File #18-9-11492-X, for the addition of 24 licensed residential child care beds in Berkeley County.

November 9, 2018 – Dumas Psychology Collective, LLC, Beckley, Raleigh County, CON File #18-1-11496-X, for the development of a licensed behavioral health center in Beckley, Raleigh County.

NOTICE OF PUBLIC COMMENT PERIOD

Proposed Certificate of Need Standards

The West Virginia Health Care Authority (HCA) has scheduled a public comment period to receive comments on the following proposed Certificate of Need Standards:

- **Transplantation Services**

Written comments may be submitted to Barbara Skeen, Interim Executive Director, West Virginia Health Care Authority, 100 Dee Drive, Charleston, WV 25311 or via email at Barbara.I.Skeen@wv.gov. Comments must be received no later than close of business on **December 4, 2018**. A copy of the proposed Standards set forth above has been filed with the Secretary of State. The Standards are available to be viewed on the homepage, under "News and Announcements", of the Authority's website, www.hca.wv.gov, or copies may be obtained by contacting the office at (304) 558-7000 or toll-free at 1-888-558-7002.

EXEMPTION APPLICATIONS APPROVED

November 5, 2018 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #18-6-11478-X, for the construction of a parking garage on property near the hospital campus.

November 7, 2018 - Bridgeport Health Care Center, LLC, Bridgeport, Harrison County, CON File #18-6-11483-X, for the acquisition of sixteen licensed nursing home beds from Taylor Health Care Center, LLC and the relocation of those beds to Bridgeport Health Care Center.

November 8, 2018 - Lifeline Addiction Psychiatric & Wellness Center, Beckley, Raleigh County, CON File #18-4-11473-X, for the development of an Office Based Medication Assisted Treatment (OBMAT) program and outpatient mental healthcare center at 550 Northside Drive, Suite 107, Summersville, Nicholas County.

November 8, 2018 - Mercer Nursing & Rehabilitation Center, LLC, Bluefield, Mercer County, CON File #18-1-11482-X, for the acquisition of twenty licensed nursing home beds from McDowell Nursing & Rehabilitation Center, LLC and the relocation of those beds to Mercer Nursing & Rehabilitation Center, LLC.

NOTICES OF SUBSTANTIAL COMPLIANCE

The following projects have been implemented in substantial compliance with the decision issued in this matter and the case file is now closed.

November 7, 2018 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-11159-H, for the addition of 32 acute care beds; capital expenditure: $9,924,343.

November 7, 2018 - Raleigh General Hospital, Beckley, Raleigh County, CON File #18-1-11424-P, for the development of an ambulatory health care facility in Raleigh County through the acquisition of a physician office practice; capital expenditure: $28,150.

Further information may be obtained on any of the above-referenced projects by contacting Barbara Skeen, Director, Certificate of Need Division.

OTHER

Jim Justice
Governor

WEST VIRGINIA HEALTHCARE AUTHORITY

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

FILED
2018 NOV 14 A 10:38
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

In Re:

PERSONAL TOUCH HOME CARE OF W. VA., INC.
CON File No. 18-6/7-11459-Z

NOTICE OF PREHEARING CONFERENCE
AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held, **February 4, 2019 at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

AN ADMINISTRATIVE HEARING will be held, **February 11, 2019 at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of home health care services in Barbour, Harrison, Monongalia and Taylor counties, West Virginia.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at both the prehearing conference and the administrative hearing.

The purpose of the prehearing conference is to designate parties to the hearing, to designate the issues for the hearing, resolve any procedural matters, receive any motions, establish the order of proceedings, receive a listing of the witnesses and a summary of direct testimony that will be offered at the hearing, receive a listing of evidence to be offered and copies of any documents to be offered such as reports or analysis prepared by expert witnesses including any financial reports and any other procedural matters. The prehearing conference will be conducted in conformance to Rule 16, West Virginia Rules of Civil Procedure for pretrial conferences.

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4775/Fax • 1.888.558.7002/Toll Free
www.hca.wv.gov

WEST VIRGINIA
HEALTH CARE AUTHORITY

OTHER

In Re: **Personal Touch Home Care of W. Va., Inc.**
CON File # 18-6/7-11459-Z

HEARING ORDER

The following shall apply to and govern the above-captioned action and activities conducted in connection with it. In the absence of a specific date or deadline for a given activity, it is anticipated that such activity will be scheduled and conducted within a reasonable time prior to the hearing.

The parties may not amend, modify or adjust any provision of this order except by leave of the Authority.

1. Hearing date: **February 11, 2019 at 1:30 p.m.**

2. Prehearing conference date: **February 4, 2019 at 1:30 p.m.**

3. Settlement conference (optional): **N/A**

4. All replacement pages to CON application to be filed by: **November 19, 2018**
Pursuant to W. Va. Code St. R. §65-32-6, if the applicant submits a substantial amendment to the application the Authority may withdraw the application from review. The board may examine the extent of additional information or any amendment made by the applicant to the application and its impact on the new institutional health service, and determine the application to be a new proposal subject to a new review cycle.

5. Motions for discovery to be filed by: **December 4, 2018**

6. Discovery completed on or before: **January 14, 2019**
Parties engaging in discovery are required to file a copy of the certificate of service attached to the discovery request or response with the board. Affected parties shall not file copies of the actual discovery and responses with the board. To the extent that an affected party intends to introduce a document obtained through the discovery process at the administrative hearing, the document and two (2) copies must be filed at the prehearing conference.

7. Dispositive and preliminary motions to be filed by: **January 28, 2019**
Parties shall file all prehearing motions with the board a minimum of three (3) days prior to the prehearing conference.

8. All requests for subpoenas and/or subpoenas duces tecum to be filed by: **January 28, 2019**

Entered this 13th day of November 2018

OTHER

Charlene Farrell
Charlene Farrell, Board Member

Jim Justice
Governor

WEST VIRGINIA HEALTHCARE AUTHORITY

Bill J. Crouch, Cabinet Secretary
West Virginia Department of
Health and Human Resources

FILED
2018 NOV 14 A 10:38
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

In Re:

PERSONAL TOUCH HOME CARE OF W. VA., INC.
CON File No. 18-9-11458-Z

NOTICE OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that the following proceedings have been scheduled for the above-noted application:

A PREHEARING CONFERENCE will be held, **February 4, 2019 at 1:30 p.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

AN ADMINISTRATIVE HEARING will be held, **February 11, 2019 at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia.

This application concerns the development of home health services in Jefferson and Berkeley counties, West Virginia.

You and any other "affected persons" as defined by W. Va. Code §16-2D-2 wishing to participate in the hearing of this application are directed to be present at both the prehearing conference and the administrative hearing.

The purpose of the prehearing conference is to designate parties to the hearing, to designate the issues for the hearing, resolve any procedural matters, receive any motions, establish the order of proceedings, receive a listing of the witnesses and a summary of direct testimony that will be offered at the hearing, receive a listing of evidence to be offered and copies of any documents to be offered such as reports or analysis prepared by expert witnesses including any financial reports and any other procedural matters. The prehearing conference will be conducted in conformance to Rule 16, West Virginia Rules of Civil Procedure for pretrial conferences.

100 Dee Drive • Charleston, West Virginia 25311-1600 • 304.558.7000 • 304.558.4775/Fax • 1.888.558.7002/Toll Free
www.hca.wv.gov

In a hearing, any person has the right to be present or to be represented by counsel and to present oral or written arguments and relevant evidence. Any person affected by the matter which is the subject of the hearing may conduct reasonable questioning of persons who make factual allegations relevant to such matters.

PLEASE TAKE NOTICE that if the party who requested the hearing withdraws that request, then the hearing will be canceled.

The file on this application is available for examination in the offices of the Health Care Authority from 8:30 a.m. to 5:00 p.m.., Monday through Friday. If you have questions concerning this matter, please contact Barbara Skeen, Interim Executive Director, at (304) 558-7000 or toll free 1-888-558-7002.

Date: November 13, 2018

Barbara Skeen
Barbara Skeen, Interim Executive Director

OTHER

WEST VIRGINIA
HEALTH CARE AUTHORITY

In Re: **Personal Touch Home Care of W. Va., Inc.**
CON File # 18-9-11458-Z

HEARING ORDER

The following shall apply to and govern the above-captioned action and activities conducted in connection with it. In the absence of a specific date or deadline for a given activity, it is anticipated that such activity will be scheduled and conducted within a reasonable time prior to the hearing.

The parties may not amend, modify or adjust any provision of this order except by leave of the Authority.

1. Hearing date: **February 11, 2019 at 9:00 a.m.**
2. Prehearing conference date, **February 4, 2019 at 1:30 p.m.**
3. Settlement conference (optional): **N/A**
4. All replacement pages to CON application to be filed by: **November 19, 2018**
   Pursuant to W. Va. Code St. R. §65-32-6, if the applicant submits a substantial amendment to the application the Authority may withdraw the application from review. The board may examine the extent of additional information or any amendment made by the applicant to the application and its impact on the new institutional health service, and determine the application to be a new proposal subject to a new review cycle.
5. Motions for discovery to be filed by: **December 4, 2018**
6. Discovery completed on or before: **January 14, 2019**
   Parties engaging in discovery are required to file a copy of the certificate of service attached to the discovery request or response with the board. Affected parties shall not file copies of the actual discovery and responses with the board. To the extent that an affected party intends to introduce a document obtained through the discovery process at the administrative hearing, the document and two (2) copies must be filed at the prehearing conference.

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OTHER

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Entered this 13th day of November 2018

Charlene Farrell

Charlene Farrell, Board Member